



2178  
PATENT

Case Docket No. EDIG.001GEN  
Date: September 8, 2003

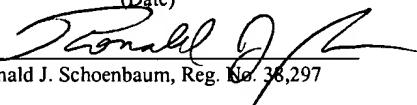
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jablonski, et. al.  
Appl. No. : 09/510,500  
Filed : February 22, 2000  
For : CUSTOM COMPUTER  
WALLPAPER AND  
MARKETING SYSTEM AND  
METHOD  
Examiner : UNKNOWN  
Group Art Unit : UNKNOWN

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 8, 2003

(Date)

  
Ronald J. Schoenbaum, Reg. No. 38,297

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SEP 11 2003

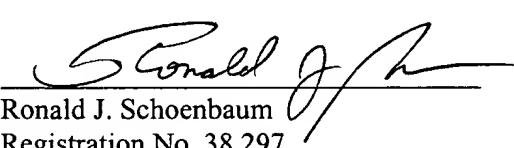
Technology Center 2100

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Power of Attorney from Extended Digital, LLC, the new assignee of the above-referenced application, along with copies of three Assignments, a Status Letter and a Return Prepaid Postcard. Concurrently with this submission, the original assignment of this application from VirtualPortal Corporation to Extended Digital, LLC is being submitted to USPTO for recordation.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

  
Ronald J. Schoenbaum  
Registration No. 38,297  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

EDIG.001GEN

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jablonski et al )  
 App. No. : 09/510,500 )  
 Filed : February 22, 2000 )  
 For : CUSTOM COMPUTER )  
       WALLPAPER AND MARKETING )  
       SYSTEM AND METHOD )  
 Examiner : UNKNOWN )

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

RECEIVED

SEP 11 2003

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Technology Center 2100

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The original assignments of the above-referenced application from the inventors to VirtualPortal Corporation are recorded at Reel 010561, Frames 0610-0614, and are also attached. An assignment of the application from VirtualPortal Corporation to the Assignee is also attached. The aforementioned assignments represent the entire chain of title from the inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer

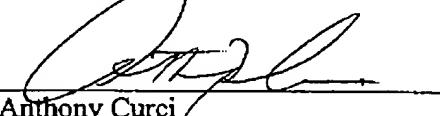
App. No. : 09/510,500  
Filed : February 22, 2000

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Extended Digital, LLC

Dated: Sept 5<sup>th</sup> 2003

By: 

Anthony Curci

Title: Managing Member/Officer

Address: 1642 McGaw Avenue  
Irvine, CA 92614

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090503

## ASSIGNMENT

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned ASSIGNOR,

Tomas E JABLONSKI, 30456 Zurich Drive, Pine, Colorado, 80470

Hereby sell, assign and transfer to ASSIGNEE

RECEIVED

SEP 11 2003

Technology Center 2100

a corporation of Colorado

having a place of business at

VirtualPortal Corporation

30456 Zurich Drive  
Pine, Colorado 80470

its successors, assigns, and legal representatives, the entire right, title and interest, for the United States and all foreign countries, in, and to any and all improvements in, the application for United States Provisional Letters Patent, Appl. No. 60/121,049, which was filed on February 22, 1999,

and is entitled: CUSTOM COMPUTER WALLPAPER SYSTEM AND MARKETING METHOD,

and in and to said application and all divisional, continuing, substitute, renewal, reissue, other applications which claim the benefit of said application, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said ASSIGNEE may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to, but at the expense of said ASSIGNEE, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said ASSIGNEE, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said ASSIGNEE, its

(Assignment Page 1 of 2)

PATENT  
REEL: 010561 FRAME: 0610

successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said ASSIGNEE, its successors, assigns and legal representatives;

ASSIGNOR further covenants that said ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to said ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof; and

Covenant with said ASSIGNEE, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN WITNESS WHEREOF, I hereunto set hand and seal:

2/16/2000

Date



Tomas E JABLONSKI

*NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.*

Notarization or Legalization Page Added.

(Assignment Page 2 of 2)

PATENT  
REEL: 010561 FRAME: 0611

## ASSIGNMENT

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, WE, the undersigned ASSIGNORS,

Richard A. Schmelzer, 1080 Juniper Avenue, Boulder, CO 80304  
Robert A. Schmelzer, ~~1823-22<sup>nd</sup> Street, Unit 15, Boulder, CO 80302~~  
~~207 Pearl Street Boulder CO 80302~~

Hereby sell, assign and transfer to ASSIGNEE

VirtualPortal Corporation

Corporation of Colorado  
having a place of business at 30456 Zurich Drive  
Pine, Colorado 80470

its successors, assigns, and legal representatives, the entire right, title and interest, for the United States and all foreign countries, in, and to any and all improvements in, the application for United States Provisional Letters Patent, Appl. No. 60/121,049, which was filed on February 22, 1999,

and is entitled: CUSTOM COMPUTER WALLPAPER SYSTEM AND MARKETING METHOD,

and in and to said application and all divisional, continuing, substitute, renewal, reissue, other applications which claim the benefit of said application, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said ASSIGNEE may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to, but at the expense of said ASSIGNEE, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said ASSIGNEE, its successors, assigns, and

(Assignment Page 1 of 3)

PATENT  
REEL: 010561 FRAME: 0612

representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said ASSIGNEE, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said ASSIGNEE, its successors, assigns and legal representatives;

ASSIGNORS further covenant that said ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to said ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof; and

Covenant with said ASSIGNEE, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN WITNESS WHEREOF, We hereunto set hand and seal:

1/19/00

Date



Richard A. Schmelzer

1/19/00

Date

  
Robert A. Schmelzer

*NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.*

Notarization or Legalization Page Added.

(Assignment Page 2 of 3)

PATENT  
REEL: 010561 FRAME: 0613

## NOTARIZATION OR LEGALIZATION ACCOMPANYING ASSIGNMENT

*NOTE: Executing this page is not required for assignment, and is only prima facie evidence of execution 35 USC 261.*

Details of Country United States

and place of signing of assignment

Worldprint.com

3125 Sterling Cir #101  
Boulder, CO 80301

Before me this 19 day of January 2000, personally appeared the above named individual(s), to me known to be the person(s) who [ ] is [ ] are described in, and who executed the foregoing assignment instrument and acknowledged to me that

he  
 she  
 they executed the same of

his  
 her  
 their

own free will for the purpose therein expressed.



Notary Public or Consular Officer of the  
United States of America

(Assignment Page 3 of 3)

RECORDED: 02/22/2000

PATENT  
REEL: 010561 FRAME: 0614

ASSIGNMENT

WHEREAS, Virtualportal Corporation, a Colorado corporation having offices at 30456 Zurich Drive, Pine, Colorado 80470 (hereinafter "ASSIGNOR"), represents and warrants that it is the sole owner of the entire right, title, and interest to certain new and useful improvements for which ASSIGNOR has filed the following United States patent application (hereinafter "the Patent Application"):

<u>Application No.</u>	<u>Filing Date</u>	<u>Title</u>
09/510,500	February 22, 2000	CUSTOM COMPUTER WALLPAPER AND MARKETING SYSTEM AND METHOD

WHEREAS, Extended Digital, LLC, having offices at 1642 McGaw Avenue, Irvine, California 92614 (hereinafter "ASSIGNEE") desires to purchase the entire right, title, and interest in and to the inventions disclosed in the Patent Application;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby further acknowledges that it has sold, assigned, and transferred, and by these presents does hereby sell, assign, and transfer, unto ASSIGNEE, its successors, legal representatives, and assigns, the entire right, title, and interest throughout the world in, to, and under the improvements, and the Patent Application and all Patents that may be granted thereon, and all provisional applications relating thereto (including Application No. 60/121,049, filed February 22, 1999), and all divisions, continuations, reissues, reexaminations, renewals, and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent that may hereafter be filed for said improvements or for the Patent Application in any country or countries foreign to the United States; and ASSIGNOR hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements and all Letters Patents resulting from the Patent Application to ASSIGNEE, its successors, legal representatives, and assigns, in accordance with the terms of this Agreement.

ASSIGNOR does hereby sell, assign, transfer, and convey to ASSIGNEE, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the issued Letters Patents;

ASSIGNOR hereby covenants and agrees that it will communicate to ASSIGNEE, its successors, legal representatives, and assigns any facts known to ASSIGNOR respecting the Patent Application immediately upon becoming aware of those facts, and that it will testify in any legal proceeding involving any of the Patent Application, will sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and will generally do everything possible to aid ASSIGNEE, its successors, legal representatives, and assigns to obtain and enforce the Patent Application in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 23rd day of

July, 2003.

## **Virtualportal Corporation**

By: Tomas Jablonski  
Tomas Jablonski

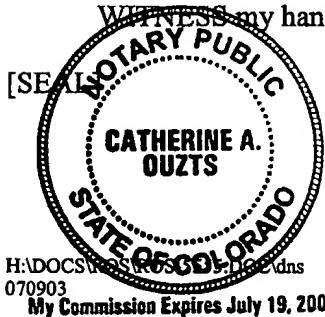
Title: President

Date: 7/23/2003

STATE OF *Colorado* }  
COUNTY OF *Denver* } ss.

On July 23 2003, before me, Tomas Jablonski, personally appeared Tomas Jablonski personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

~~WITNESS~~ my hand and official seal.



Catherine A. Augst

**Notary Signature**